

UNITED STATES SOUTHERN DIST. COURT - NEW YORK COUNTY

WESLEY GABRIEL ET ANO,
PLAINTIFF

- vs. -

BRIAN FISCHER ET AL,
DEFENDANT

Index No: **08 CV 2460**
Date Filed: / /
Office No:
Court Date:

STATE OF NEW YORK COUNTY OF NEW YORK :SS:

STEVEN AVERY being duly sworn, deposes and says;

I AM OVER THE AGE OF 18 YEARS AND RESIDE IN THE STATE OF NEW YORK.

Deponent served the **SUMMONS AND COMPLAINT JURY TRIAL DEMAND** upon the **DEFENDANT BRIAN FISCHER** on **04/16/2008** at **01:15PM** at **STATE CAMPUS BUILDING # 2 %N.Y.S. DEPARTMENT OF CORRECTIONAL SERVICES, ALBANY, NY** actual place of business of the **DEFENDANT** by delivering thereat a true copy to **NANCY HEYWOOD, CO-WORKER OF THE DEFENDANT**, a person of suitable age and discretion whose approximate description is as follows:

SEX: **FEMALE**

COLOR: **WHITE**

HAIR: **GRAY**

APP. AGE: **55**

APP. HT: **5'10**

APP. WT: **145**

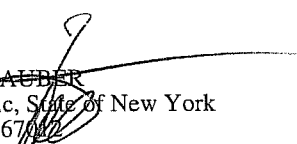
OTHER IDENTIFYING FEATURES:

Deponent also mailed a copy of same in an official depository under the exclusive care and custody of the United States Post Office Department within New York State on **04/17/2008** by first class mail to:

BRIAN FISCHER
STATE CAMPUS BUILDING # 2 %N.Y.S. DEPARTMENT OF CORRECTIONAL SERVICES, ALBANY, NY

That address being **actual place of business of the DEFENDANT**, in an envelope bearing the legend "PERSONAL AND CONFIDENTIAL", and not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person served.

Sworn to before me on **04/17/2008**.


HARVEY TAUBER
Notary Public, State of New York
No. 01TA4667002
Qualified in **BRONX**
Commission Expires 12/31/2010


STEVEN AVERY
AAA ATTORNEY SERVICE CO. OF NY, INC.
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ML